

COPY

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD OF CONTROLLING THE FLOW OF INFORMATION BETWEEN SENDERS AND RECEIVERS ACROSS LINKS BEING USED AS CHANNELS,

the specification of which (check one)

\_\_\_\_\_ is attached hereto.

X was filed on September 10, 1998 as United States Application Number or PCT International Application Number 09/151,051 and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Claimed

|          |           |                        |     |    |
|----------|-----------|------------------------|-----|----|
| _____    | _____     | _____                  | Yes | No |
| (Number) | (Country) | (Day/Month/Year Filed) |     |    |

|          |           |                        |     |    |
|----------|-----------|------------------------|-----|----|
| _____    | _____     | _____                  | Yes | No |
| (Number) | (Country) | (Day/Month/Year Filed) |     |    |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

|                      |               |
|----------------------|---------------|
| _____                | _____         |
| (Application Number) | (Filing Date) |

|                      |               |
|----------------------|---------------|
| _____                | _____         |
| (Application Number) | (Filing Date) |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

| (Appl. Serial No.) | (Filing Date) | (Status)(patented, pending, abandoned) |
|--------------------|---------------|--|
|--------------------|---------------|--|

| (Appl. Serial No.) | (Filing Date) | (Status)(patented, pending, abandoned) |
|--------------------|---------------|--|
|--------------------|---------------|--|

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

|                                |                 |
|--------------------------------|-----------------|
| Lynn L. Augspurger, Esq.       | Reg. No. 24,227 |
| Lawrence D. Cutter, Esq.       | Reg. No. 28,501 |
| Marc A. Ehrlich, Esq.          | Reg. No. 39,966 |
| Bernard M. Goldman, Esq.       | Reg. No. 17,959 |
| Floyd A. Gonzalez, Esq.        | Reg. No. 26,732 |
| John E. Hoel, Esq.             | Reg. No. 26,279 |
| Christopher A. Hughes, Esq.    | Reg. No. 26,914 |
| William A. Kinnaman, Jr., Esq. | Reg. No. 27,650 |
| Lily Neff, Esq.                | Reg. No. 38,254 |
| Edward A. Pennington, Esq.     | Reg. No. 32,588 |
| William B. Porter, Esq.        | Reg. No. 33,135 |
| Joseph C. Redmond, Jr., Esq.   | Reg. No. 18,753 |
| Jeff Rothenberg, Esq.          | Reg. No. 26,429 |
| Kevin P. Radigan, Esq.         | Reg. No. 31,789 |
| Blanche E. Schiller, Esq.      | Reg. No. 35,670 |

Send Correspondence to:

Blanche E. Schiller, Esq.  
 HESLIN & ROTHENBERG, P.C.  
 5 Columbia Circle  
 Albany, New York 12203-5160  
 Telephone: (518) 452-5600  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ADDED PAGE(S) TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR SIGNATURE BY FIRST AND SUBSEQUENT INVENTORS

Full Name of sole or first inventor: Thomas A. Gregg

Signature: Thomas A. Gregg Date: 11/2/98

Residence: 121 Bellevue Road, Highland, NY 12528

Citizenship: U.S.

Post Office Address: 121 Bellevue Road, Highland, NY 12528

Full Name of second joint inventor: Kulwant M. Pandey

Signature: Kulwant M. Pandey Date: 11/2/98

Residence: 381 Andrews Road, Lagrangeville, NY 12540

Citizenship: U.S.

Post Office Address: 381 Andrews Road, Lagrangeville, NY 12540

Full Name of third joint inventor:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence:

Citizenship:

Post Office Address:

Full Name of fourth joint inventor:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Residence:

Citizenship:

Post Office Address:

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## A S S I G N M E N T

Whereas, we

- |     |   |   |
|-----|---|---|
| (1) | Thomas A. Gregg<br>County of Ulster     | of Highland<br>and State of New York      |
| (2) | Kulwant M. Pandey<br>County of Dutchess | of Lagrangeville<br>and State of New York |

have invented certain improvements in

**METHOD OF CONTROLLING THE FLOW OF INFORMATION BETWEEN  
SENDERS AND RECEIVERS ACROSS LINKS BEING USED AS CHANNELS**

and executed a United States Patent Application therefor on

(1) 11/2/98 and (2) 11/2/98.

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York, 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and the invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patents granted upon the invention set forth in said application to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

**Signed**

(1) at Poughkeepsie, NY  
on 11/2/98

Thomas A. Gregg  
Thomas A. Gregg

(2) at Poughkeepsie, NY  
on 11/2/98

Kulwant M. Pandey  
Kulwant M. Pandey

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 26, 1999

PTAS

IBM CORPORATION  
LILY NEFF, ATTORNEY  
INTELLECTUAL PROPERTY LAW --  
522 SOUTH ROAD, M/S P386  
POUGHKEEPSIE NY 12601-5400



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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/06/1998

REEL/FRAME: 9568/0629  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
GREGG, THOMAS A.

DOC DATE: 11/02/1998

ASSIGNOR:  
PANDEY, KULWANT M.

DOC DATE: 11/02/1998

ASSIGNEE:  
INTERNATIONAL BUSINESS MACHINES  
CORPORATION  
NEW ORCHARD ROAD  
ARMONK, NEW YORK 10504

SERIAL NUMBER: 09151051  
PATENT NUMBER:

FILING DATE: 09/10/1998  
ISSUE DATE:

P0998109

9568/0829 PAGE 2

JOANN STEWART, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

1-12-1998

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U.S. Department of Commerce

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To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

a) Thomas A. Gregg  
b) Kulwant M. Pandey  
c) \_\_\_\_\_  
d) \_\_\_\_\_  
e) \_\_\_\_\_  
f) \_\_\_\_\_

g) \_\_\_\_\_  
h) \_\_\_\_\_  
i) \_\_\_\_\_  
j) \_\_\_\_\_  
k) \_\_\_\_\_  
l) \_\_\_\_\_

More names attached? ☐ Y ☒ N

## 2. Name and address of receiving party(ies):

Name: INTERNATIONAL BUSINESS  
MACHINES CORPORATION  
Address: New Orchard Road  
Armonk, NY 10504

More names attached? ☐ Y ☒ N3. Nature of Conveyance: ☒ Assignment

4. Application number: 09/151,051 Filed: 09/10/98  
Filed with new application: ☐ yes ☒ no

Execution date(s):

09/151,051

a) November 2, 1998  
b) November 2, 1998  
c) \_\_\_\_\_  
d) \_\_\_\_\_  
e) \_\_\_\_\_  
f) \_\_\_\_\_

g) \_\_\_\_\_  
h) \_\_\_\_\_  
i) \_\_\_\_\_  
j) \_\_\_\_\_  
k) \_\_\_\_\_  
l) \_\_\_\_\_

Additional numbers attached? ☐ Y ☒ N

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Lily Neff, Attorney  
IBM Corporation  
Intellectual Property Law  
522 South Road, M/S P386  
Poughkeepsie NY 12601-5400

6. Total # of applications and patents involved: 017. Total fee (37 CFR 3.41):  
\$ 40.008. Charge to Deposit Account  
09-0463.

11/12/1998 09:46 00000002 090463 09151051

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## 9. Statement and Signature: To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Susan L. Phelps

Signature

11/3/98  
DateTotal number of pages including cover sheet, attachments, and document: 2

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Docket No.: PO9-98-109